

**REISSUE DECLARATION BY INVENTOR**

I, Harry R. Layne declare that I am a citizen of the United States of America, residing at 11 Wisteria Lane, Covington, LA 70433. I further declare that I am the original, first and sole inventor of the subject matter which is described and claimed in U.S. Patent No. 5,649,391, granted on July 22, 1997, and for which a reissue patent is sought on the invention entitled **EMBEDDABLE MOUNTING DEVICE AND METHOD**, the specification of which is attached hereto and is amended by the preliminary amendment being filed herewith.

I further declare that I have reviewed and understand the content of the above-identified specification, including the claims as amended by the preliminary amendment being filed herewith.

I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application in accordance with 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming more or less than patentee had a right to claim in the patent.

At least one error upon which reissue is based is described as follows: the issued claims were too narrow in scope and did not capture the complete essence of the invention as described in the specification. Specifically, at least the dimensions recited in independent claims 1 and 11 are believed to be unnecessary. New independent claims 18, 23 and 27 do not require the dimensions recited in independent claims 1 and 11.

I verily believe that all errors corrected in this reissue application up to the time of filing of this oath/declaration arose without any deceptive intention on the part of the applicant.

I further declare that no application for patent or inventor's certificate on this invention has been filed by us or our representatives or assigns in any country foreign to the United States, except as follows: NONE

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor:

  
Harry R. Layne

Post Office

Address: 11 Wisteria Lane,  
Covington, LA 70433

Date:

Feb. 17, 1999



Applicant or Patentee: Harry R. Layne  
Serial or Patent No.: Reissue of 5,649,391  
For: EMBEDDABLE MOUNTING DEVICE AND METHOD

Attorney's Docket No.: F0375DT-US  
Filed or Issued: Herewith

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:  
Name of Concern: Steel Block, Inc.  
Address of Concern: 11 Wisteria Lane, Covington, LA 70433.

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR §121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled EMBEDDABLE MOUNTING DEVICE AND METHOD by inventor Harry R. Layne and described in

- ☒ the reissue specification filed herewith  
☐ application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
☒ Patent No. 5,649,391, issued July 22, 1997

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention, averring status as a small entity (37 CFR 1.27)

Full Name: \_\_\_\_\_  
Address: \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Harry R. Layne  
Title of Person other than Owner: President  
Address of Person Signing: 11 Wisteria Lane, Covington, LA 70433.  
Signature: Harry R. Layne Date: Feb-17, 1999

PATENT

F0375DT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	ATTN: Box Reissue
Harry R. Layne	:	Patent Art Unit:
Patent No.: 5,649,391	:	Examiner: W. Glenn Edwards
Issued: July 22, 1997	:	
For: <b>EMBEDDABLE MOUNTING DEVICE AND METHOD</b>	:	

Certificate Under 37 C.F.R. § 3.73(b)

Assistant Commissioner of Patents  
Box Reissue  
Washington, D.C. 20231

Sir:

Steel Block, Inc., a United States corporation, hereby certifies that it is the assignee of the entire right, title and interest of the above-identified application by virtue of the chain of title from the inventor of the above-identified application to the current assignee as shown by the attached assignments which were filed with the U.S. Patent and Trademark Office on October 26, 1998.

Chain of Title shown by the attached documents:

From: Harry R. Layne  
To: Steel Block, Inc.

The undersigned has reviewed the attached documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above. The undersigned is empowered to act on behalf of assignee.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By:

Name: Harry R. Layne

Title: President of Steel Block, Inc.

Dated: Feb. 17, 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**ASSIGNMENT**

WHEREAS, I, **Harry R. Layne**, a citizen of United States of America, residing at 11 Wisteria Lane, Covington, Louisiana 70433, (hereinafter ASSIGNOR), am the sole owner of the entire right, title and interest, of the invention entitled **EMBEDABLE MOUNTING DEVICE AND METHOD**, which is the subject of Letters Patent of the **United States Patent No. 5,649,391**, issued on July 22, 1997; and

WHEREAS, **Steel Block, Inc.**, a corporation duly organized under the laws of the state of Louisiana, located and doing business at 11 Wisteria Lane, Covington, Louisiana 70433 (hereinafter ASSIGNEE), is desirous of acquiring the entire right, title and interest in and to the aforementioned invention and the aforementioned application and any and all Letters Patent to be obtained on said invention and/or application;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN that for good and valuable consideration paid to me by said ASSIGNEE, the receipt and sufficiency of which is hereby acknowledged, I, the ASSIGNOR, by these presents do hereby sell, assign, set over and transfer unto said ASSIGNEE, its successors, legal representatives or assigns, the entire right, title and interest in and to the aforesaid invention in and for the United States and all countries foreign thereto; and in, to and under the aforesaid United States patent and any corresponding U.S. and/or foreign applications and any divisional, continuing, substitute or reissue applications or supplementary disclosures which may be filed on said invention in any country; and my right to file said foreign applications and claim priority under the provisions of the International Convention; and any Letters Patent of the United States or any foreign country issued or granted on said invention and/or said applications;

AND I HEREBY further sell, assign, set over and transfer unto said ASSIGNEE, its successors, legal representatives or assigns, the right to sue and recover for any past infringements of the aforesaid United States patent;

AND I HEREBY authorize and request the Patent Office or other issuing authority to issue any and all patents on said invention and/or said application to said ASSIGNEE as sole assignee; and I further hereby authorize said ASSIGNEE to file and prosecute any of said foreign applications in its own name;

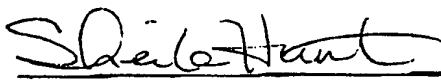
AND I HEREBY covenant that I have the full right to convey the entire right, title and interest herein assigned and that I have not executed and will not execute any assignment or other instrument in conflict herewith;

AND I HEREBY further covenant and agree to communicate to said ASSIGNEE, or its legal representatives, successors or assigns, any facts relating to said invention, including evidence for interference purposes or other proceedings, whenever requested, and to testify in any interference or in any other legal proceeding, when requested, and to execute and deliver on request

all lawful papers required to make any of the foregoing provisions effective; and to perform the aforesaid communicating, executing and delivering, without any payment except expenses and to perform the aforesaid testifying for reasonable compensation; and generally to do everything possible to aid the said ASSIGNEE, its successors, legal representatives or assigns to obtain and enforce proper patent protection on and for said invention in all countries, and likewise I make these provisions binding upon my heirs, legal representatives and/or administrators.

1<sup>st</sup> IN WITNESS WHEREOF, I have hereunder set my hand and seal this  
day of October, 1998.

  
Harry R. Layne

  
Witness

F0375DT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	ATTN: Box Reissue
Harry R. Layne	:	Patent Art Unit: 3621
Patent No.: 5,649,391	:	Examiner: W. Glenn Edwards
Issued: July 22, 1997	:	
For: <b>EMBEDDABLE MOUNTING DEVICE</b>	:	
<b>AND METHOD</b>	:	

CONSENT OF ASSIGNEE

Assistant Commissioner of Patents  
Box Reissue  
United States Patent and Trademark office  
Washington, D.C. 20231  
Sir:

Steel Block, Inc., is now the sole owner by assignment of the above-identified Letters Patent. Steel Block, Inc. assignee of U.S. Patent No. 5,649,391 consents to the filing of this reissue application with the initial application papers for U.S. Patent No. 5,649,391 to correct an error in the original Letters Patent.

Assignee further states that the above-identified Letters Patent has not been involved in any litigation. Also, submitted herewith is an offer to surrender the original patent.

Respectfully submitted,

By:

Name: Harry R. Layne

Title: President of Steel Block, Inc.

Date:

Feb. 17, 1999

**OFFER TO SURRENDER PATENT  
IN REISSUE APPLICATION BY ASSIGNEE/INVENTOR**

This is part of the application for a reissue patent based on the original patent grant identified below.

Name of Patentee: Harry R. Layne

Patent Number: U.S. Patent No. 5,649,391    Date Patent Issued: July 22, 1997

Title of Invention: **EMBEDDABLE MOUNTING DEVICE AND METHOD**

I, Harry R. Layne the inventor and president of Steel Block, Inc., offer to surrender the original patent.

A certificate under 37 CFR 3.73(b) is being filed concurrently herewith.

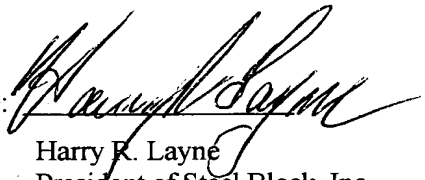
The written consent of all assignees ( Steel Block, Inc.) owning an undivided interest in the original patent is included in this application for reissue.

Signature:     Date: Feb. 17, 1999  
Harry R. Layne

The assignee owning an undivided interest in said original patent is of Steel Block, Inc and the assignee consents to the accompanying application for reissue.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of Assignee: Steel Block, Inc

Signature of person signing for assignee: 

Harry R. Layne  
President of Steel Block, Inc

Date: Feb. 17, 1999